

1 Henry Holsinger
Mark C. Nosler
2 Gavin M. Craig
401 Public Works Bldg.
3 Sacramento, California
Tel. Gilbert 2-4711, Ext. 2300
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Attorneys for State Engineer
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10 IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA

11 IN AND FOR THE COUNTY OF LASSEN

12
13 IN THE MATTER OF THE DETERMINATION)
OF THE RIGHTS OF THE VARIOUS CLAIMANTS)
14 TO THE WATER OF BAXTER CREEK STREAM)
SYSTEM IN LASSEN COUNTY, CALIFORNIA)
15

NO. 8174
DECREE

16 ----oOo----

17 The above-entitled cause having come on regularly for hearing,
18 trial and determination on the 15th day of December, 1955, before this
19 court sitting without a jury; Mark C. Nosler appearing as attorney for
20 the Department of Public Works of the State of California, Division of
21 Water Resources, acting through the State Engineer, hereinafter referred
22 to as "Department"; all parties in interest in said proceeding having been
23 duly and regularly notified of said hearing, trial and determination; no
24 exceptions to the Order of Determination on file herein having been filed;
25 the Department having moved the court to modify and affirm the Order of
26 Determination; evidence having been introduced, the matter argued and sub-
27 mitted for decision; and the court being fully advised in the premises
28 grants the motion of the Department, affirms the Order of Determination

1 as modified and renders this its decree determining the rights of all
2 parties involved in this proceeding as follows to wit.

3 IT IS ORDERED, ADJUDGED, AND DECREED that the several rights of
4 all existing claimants in and to the use of water of the Baxter Creek
5 Stream System in Lassen County, California, are as hereinafter set forth:

6
7 GENERAL DEFINITIONS, LIMITATIONS, AND PROVISIONS

8 1. The term "Water Code" when used herein means the Water Code of
9 California; the term "stream system" when used herein means Baxter Creek
10 and all its tributaries; the term "claimant" when used herein means a
11 party claiming rights in and to the use of the water of Baxter Creek stream
12 system.

13 2. Although all quantities of water allotted to the several claimants
14 for direct application to beneficial use are severally expressed in terms
15 of continuous flow, nevertheless, nothing herein contained shall be con-
16 strued as limiting or restricting the right of any claimants to rotate
17 in the use of water or the right of any claimants to divert for limited
18 periods of time convenient "irrigation heads", and thus apply water to
19 his lands at a greater rate than indicated by the quantity of continuous
20 flow so allotted; provided, that such practice of rotation or use of
21 "irrigation heads" shall not result in the use by any claimant of a total
22 quantity of water during any thirty-day period in excess of the equivalent
23 of claimant's continuous flow allowance for thirty days; and provided
24 further, that this practice of rotation or use of "irrigation heads"
25 shall not impair or infringe the rights of any other claimant.

26 3. Nothing herein contained shall, or shall be construed to, pre-
27 vent any of the claimants herein, who jointly use a ditch for which there

1 is a continuous flow allotment, from employing by agreement a system of
2 rotation in use as among themselves; or prevent any claimant herein who
3 has allotments in two or more ditches, from using all or any portion of the
4 summation of such allotments through any of these ditches on all or any
5 portion of his lands; provided the total quantity of water diverted by the
6 claimant at any time shall not exceed the summation of such allotments; and
7 provided further, this practice of rotation or use of combined allotments
8 shall not impair or infringe the rights of any other claimant.

9 4. The term "directly apply to beneficial use" means the direct
10 conveyance and application of water diverted to beneficial use without
11 intermediate storage, except such regulatory storage as may be practiced
12 for the purpose of equalizing the flow of water diverted for a convenient
13 irrigation head.

14 5. The term "natural flow" means such a flow as will naturally occur
15 at any given point in a stream from the runoff of the watershed which it
16 drains, from springs which naturally contribute to the stream, from see-
17 page, and from waste and return flow from dams, conduits, and irrigated
18 lands, as distinguished from released stored water.

19 6. Nothing herein contained shall, or shall be construed to, allo-
20 cate to any claimant a right to divert from Baxter Creek stream system, at
21 any time, a quantity of water in excess of an amount reasonably necessary
22 for his requirements and being put to beneficial use.

23 7. The Division of Water Resources Map, hereinafter referred to as
24 D.W.R. Map, is the map prepared by the Department of Public Works of the
25 State of California, Division of Water Resources, from its surveys made in
26 1950 and 1951, which map is entitled "Baxter Creek Stream System Showing

1 Diversions and Irrigated Lands, Lassen County, California", is dated 1951,
2 and is on file in this proceeding.

3
4 DEFINITION OF WATER RIGHTS

5 8. The several claimants in the proceeding entitled to rights in
6 and to the water, and in and to the use thereof, from the stream system
7 are divided into two separate groups, designated as follows:

8 (1) Sloss Creek and Bankhead Creek Group (Schedule 3), (2) Baxter
9 Creek and Elesian Creek Group (Schedule 4). All rights in the Sloss Creek
10 and Bankhead Creek Group are superior in priority and in right to all
11 rights in Baxter Creek and Elesian Creek Group.

12 9. The several claimants in the proceeding are entitled to use of
13 the water from the stream system upon the places of use described under
14 their names in Schedule 1, and are entitled to divert water at the points
15 of diversion from the stream system as named, numbered, and described in
16 Schedule 2. The points of measurement of the quantities of water allotted
17 are at the points of diversion from the stream system. The various rights
18 in each group are interrelated and are set forth in Schedules 3 and 4.

19 10. All allotments in Schedules 3 and 4 shall be for continuous
20 usage without regard to season, but shall be limited during the period
21 from November 1 of each year to the last day of February of the succeed-
22 ing year, to the amount required for domestic and stock water use.

23
24 DEFINITION OF WATER RIGHTS
IN SLOSS CREEK AND BANKHEAD CREEK GROUP

25 11. The Sloss Creek and Bankhead Creek Group, as designated in
26 Paragraph 8, comprises all rights in and to the water, and in and to the

1 use thereof in Sloss Creek and in Bankhead Creek. This group contains
2 rights in three priority classes, as set forth in Schedule 3 and defined
3 in Paragraph 12.

4 12. The several claimants enumerated in Schedule 3 are entitled
5 to rights in "first priority class", "second priority class", and "third
6 priority class", in and to the use of the natural flow of Sloss Creek and
7 Bankhead Creek and their tributaries during the seasons stated in Paragraph
8 10, for domestic, stockwatering, and irrigation purposes upon their lands
9 as shown on D.W.R. Map and as described under their names in Schedule 1,
10 in accordance with the acreages to be supplied, priorities and quantities
11 of water allotted, at the points of diversion, as numbered and as shown
12 after their names in Schedule 3. The rights in "first priority class" are
13 equal in priority and correlative in right, but are superior in priority
14 and in right to all other rights in Schedule 3, and at all times when the
15 available water supply of Sloss Creek and Bankhead Creek and their tribu-
16 taries is inadequate to supply all rights in "first priority class", then
17 during the continuance of such shortage, the owners of such rights shall
18 prorate the available water supply in accordance with their allotments in
19 "first priority class". The rights in "second priority class" are equal
20 in priority and correlative in right, are subject and inferior to the
21 rights in "first priority class", but are superior in priority and in right
22 to all other rights in Schedule 3, and at all times when the available
23 water supply of Sloss Creek and Bankhead Creek and their tributaries is
24 inadequate to supply all rights in "second priority class", then during
25 the continuance of such shortage, the owners of such rights shall prorate
26 the available supply, if any, in excess of the quantity required to supply
27 prior rights, in accordance with their allotments in "second priority class".

1 The rights in "third priority class" are equal in priority and correlative
2 in right, but are subject and inferior to all other rights in Schedule 3,
3 and at all times when the available water supply of Sloss Creek and Bank-
4 head Creek and their tributaries is inadequate to supply all rights in
5 "third priority class", then during the continuance of such shortage, the
6 owners of such rights shall prorate the available water supply, if any,
7 in excess of the quantity required to supply prior rights, in accordance
8 with their allotments in "third priority class" provided, however, that
9 nothing herein contained shall be construed as modifying the provisions
10 of that certain agreement of October 16, 1919, recorded November 17, 1919,
11 in Book 2, Page 217 of Agreements, Lassen County.

12
13 DEFINITION OF WATER RIGHTS
 IN BAXTER CREEK AND ELESIAN CREEK GROUP

14 13. The Baxter Creek and Elesian Creek Group as designated in
15 Paragraph 8, comprises all rights in and to the water, and in and to the
16 use thereof in Baxter Creek and in Elesian Creek. This group contains
17 rights in five priority classes as set forth in Schedule 4 and defined in
18 Paragraph 14.

19 14. The several claimants enumerated in Schedule 4 are entitled
20 to rights in "first priority class", "second priority class", "third
21 priority class", "fourth priority class", and "fifth priority class" in
22 and to the use of the natural flow of Baxter Creek and Elesian Creek and
23 their tributaries during the seasons stated in Paragraph 10, for domestic,
24 stockwatering, and irrigation purposes upon their lands as shown on
25 D.W.R. Map and as described under their names in Schedule 1, in accordance
26 with the acreages to be supplied, priorities and quantities of water
27 allotted, at the points of diversion as numbered, and as shown after their

1 names in Schedule 4. The rights in "first priority class" are equal in
2 priority and correlative in right, but are superior in priority and in
3 right to all other rights in Schedule 4, and at all times when the available
4 water supply of Baxter Creek and Elesian Creek and their tributaries is
5 inadequate to supply all rights in "first priority class", then during the
6 continuance of such shortage, the owners of such rights shall prorate the
7 available water supply in accordance with their allotments in "first
8 priority class". The rights in "second priority class" are equal in
9 priority and correlative in right, are subject and inferior to rights in
10 "first priority class", but are superior in priority and in right to all
11 other rights in Schedule 4, and at all times when the available water
12 supply of Baxter Creek and Elesian Creek and their tributaries is inade-
13 quate to supply all rights in "second priority class", then during the
14 continuance of such shortage, the owners of such rights shall prorate the
15 available supply, if any, in excess of the quantity required to supply
16 prior rights, in accordance with their allotments in "second priority
17 class". The rights in "third priority class" are equal in priority and
18 correlative in right, are subject and inferior to rights in "first
19 priority class" and in "second priority class", but are superior in
20 priority and in right to all other rights in Schedule 4, and at all times
21 when the available water supply of Baxter Creek and Elesian Creek and
22 their tributaries is inadequate to supply all rights in "third priority
23 class", then during the continuance of such shortage, the owners of such
24 rights shall prorate the available supply, if any, in excess of the
25 quantity required to supply prior rights, in accordance with their allot-
26 ments in "third priority class". The rights in "fourth priority class" are
27 equal in priority and correlative in right, are subject and inferior to

1 rights in "first priority class", "second priority class", and in "third
2 priority class", but are superior in priority and in right to all other
3 rights in Schedule 4, and at all times when the available water supply of
4 Baxter Creek and Elesian Creek and their tributaries is inadequate to
5 supply all rights in "fourth priority class", then during the continuance
6 of such shortage, the owners of such rights shall prorate the available
7 supply, if any, in excess of the quantity required to supply prior rights,
8 in accordance with their allotments in "fourth priority class". The
9 rights in "fifth priority class" are equal in priority and correlative in
10 right, but are subject and inferior to all other rights in Schedule 4, and
11 at all times when the available water supply of Baxter Creek and Elesian
12 Creek and their tributaries is inadequate to supply all rights in "fifth
13 priority class" then during the continuance of such shortage, the owners
14 of such rights shall prorate the available water supply, if any, in excess
15 of the quantity required to supply prior rights, in accordance with their
16 allotments in "fifth priority class" provided, however, that Soule and Scholk
17 are entitled to divert 0.26 cubic foot per second from Baxter Creek in
18 "fifth priority class" when water is unavailable for their use as set
19 forth in Schedule 3 and Paragraph 12, such use not to exceed the total
20 amounts set forth in Schedule 3; and provided further, that whenever the
21 water supply passing the head of the Long Ditch (Diversion 75) pursuant
22 to Schedule 4 hereof, recedes to 1.00 cubic foot per second or less, the
23 entire amount of water available at that point shall be diverted through
24 said Long Ditch for domestic and stockwatering purposes on the lands of
25 Melvin L. Dieter and Clare S. Dieter, Albert A. Dieter and Valera Dieter,
26 Lenus J. Hostetter, Zebnor Johnson and Birt Hostetter, and Rey Winchel.

1 15. C. H. FOX AND ETHELENE D. FOX, who filed Proof of Claim 56 in
2 this proceeding, have no right, title, or interest in or to the waste water
3 flowing onto their lands in SE $\frac{1}{4}$ NE $\frac{1}{4}$ and SW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 8 T 28 N, R 14 E,
4 M.D.B.&M., as claimed under "Remarks" in their proof.

SCHEDULE 1

DESCRIPTION OF PLACES OF USE OF
ALLOTMENTS FROM BAXTER CREEK STREAM SYSTEM

William Ahern and Zella J. Ahern

6.0 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 11, T 28 N, R 13 E, MDB&M
6.0 acres - Total

W. T. Bailey and Lenora M. Bailey

21.0 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 13, T 28 N, R 13 E, MDB&M
1.0 acre in SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 13, T 28 N, R 13 E, MDB&M
40.0 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 13, T 28 N, R 13 E, MDB&M
40.0 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 13, T 28 N, R 13 E, MDB&M
34.0 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 13, T 28 N, R 13 E, MDB&M
38.0 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 13, T 28 N, R 13 E, MDB&M
17.6 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 18, T 28 N, R 14 E, MDB&M
12.0 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 18, T 28 N, R 14 E, MDB&M
13.5 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 18, T 28 N, R 14 E, MDB&M
33.0 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 18, T 28 N, R 14 E, MDB&M
35.1 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 18, T 28 N, R 14 E, MDB&M
3.0 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 13, T 28 N, R 13 E, MDB&M
6.0 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 13, T 28 N, R 13 E, MDB&M
294.2 acres - Total

Verne E. Baker

12.0 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 30, T 29 N, R 13 E, MDB&M
12.0 acres - Total

Dave Barr and Mary Barr

6.5 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 32, T 29 N, R 13 E, MDB&M
5.4 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 32, T 29 N, R 13 E, MDB&M
5.5 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 32, T 29 N, R 13 E, MDB&M
13.4 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 32, T 29 N, R 13 E, MDB&M
0.7 acre in SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 32, T 29 N, R 13 E, MDB&M
31.5 acres - Total

SCHEDULE 1 (Cont'd)

R. Dudley Bass

26.0 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 17, T 28 N, R 14 E, MDB&M
 34.8 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 17, T 28 N, R 14 E, MDB&M
 40.0 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 17, T 28 N, R 14 E, MDB&M
 22.0 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 17, T 28 N, R 14 E, MDB&M
 12.0 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 17, T 28 N, R 14 E, MDB&M
 9.0 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 17, T 28 N, R 14 E, MDB&M
 40.0 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 8, T 28 N, R 14 E, MDB&M
 35.0 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 8, T 28 N, R 14 E, MDB&M
 30.0 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 8, T 28 N, R 14 E, MDB&M
 30.0 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 9, T 28 N, R 14 E, MDB&M
 278.8 acres - Total

Ralph Bass and Mabel C. Bass

36.8 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 32, T 29 N, R 13 E, MDB&M
 4.5 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 5, T 28 N, R 13 E, MDB&M
 18.0 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 5, T 28 N, R 13 E, MDB&M
 31.0 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 5, T 28 N, R 13 E, MDB&M
 24.5 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 6, T 28 N, R 13 E, MDB&M
 40.0 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 6, T 28 N, R 13 E, MDB&M
 13.8 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 6, T 28 N, R 13 E, MDB&M
 0.4 acre in NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 6, T 28 N, R 13 E, MDB&M
 34.0 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 6, T 28 N, R 13 E, MDB&M
 11.7 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 6, T 28 N, R 13 E, MDB&M
 214.7 acres - Total

Estate of S. S. Bass, Grover C. Bass, Trustee

27.8 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 30, T 29 N, R 13 E, MDB&M
 12.5 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 31, T 29 N, R 13 E, MDB&M
 19.0 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 31, T 29 N, R 13 E, MDB&M
 17.3 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 31, T 29 N, R 13 E, MDB&M
 0.5 acre in NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 31, T 29 N, R 13 E, MDB&M
 40.0 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 31, T 29 N, R 13 E, MDB&M
 38.5 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 31, T 29 N, R 13 E, MDB&M
 14.0 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 31, T 29 N, R 13 E, MDB&M
 35.5 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 31, T 29 N, R 13 E, MDB&M
 205.1 acres - Total

SCHEDULE 1 (Cont'd)

Charles W. Beckett and Vada H. Beckett

4.0 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 18, T 28 N, R 13 E, MDB&M
6.0 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 18, T 28 N, R 13 E, MDB&M
10.0 acres - Total

James L. Beckett and Florence Beckett

28.2 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 3, T 28 N, R 13 E, MDB&M
28.2 acres - Total

George R. Bowersox and Evelyn Bowersox

1.0 acre in NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 17, T 28 N, R 13 E, MDB&M
1.0 acre - Total

Frank W. Cummings and Barbara R. Cummings

8.2 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 6, T 28 N, R 14 E, MDB&M
3.7 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 6, T 28 N, R 14 E, MDB&M
11.9 acres - Total

Jess R. Cunningham and Jean Cunningham

0.5 acre in SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 9, T 28 N, R 13 E, MDB&M
0.5 acre - Total (In Lot 4 of Block 28, Janesville)

Arthur M. Davis and Roxie Davis

20.0 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 33, T 29 N, R 13 E, MDB&M
20.0 acre - Total

SCHEDULE 1 (Cont'd)

Charles Degiovanni and Carrie Degiovanni

29.0 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 9, T 28 N, R 13 E, MDB&M
 4.6 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 9, T 28 N, R 13 E, MDB&M
 33.0 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 9, T 28 N, R 13 E, MDB&M
 25.0 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 4, T 28 N, R 13 E, MDB&M
 40.0 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 9, T 28 N, R 13 E, MDB&M
 26.7 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 9, T 28 N, R 13 E, MDB&M
 40.0 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 9, T 28 N, R 13 E, MDB&M
 40.0 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 9, T 28 N, R 13 E, MDB&M
 20.0 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 9, T 28 N, R 13 E, MDB&M
 39.5 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 9, T 28 N, R 13 E, MDB&M
 8.7 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 3, T 28 N, R 13 E, MDB&M
 38.0 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 10, T 28 N, R 13 E, MDB&M
 3.7 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 4, T 28 N, R 13 E, MDB&M
348.2 acres - Total

Paul E. deRocher and Nancy deRocher

2.2 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 9, T 28 N, R 13 E, MDB&M
 10.2 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 9, T 28 N, R 13 E, MDB&M
 11.0 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 16, T 28 N, R 13 E, MDB&M
 1.7 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 17, T 28 N, R 13 E, MDB&M
 3.0 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 17, T 28 N, R 13 E, MDB&M
28.1 acres - Total

0.5 acre in SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 9, T 28 N, R 13 E, MDB&M
 0.5 acre - Total (Holmes Pipe Line)

Albert A. Dieter and Valera Dieter

8.8 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 7, T 28 N, R 14 E, MDB&M
 36.2 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 7, T 28 N, R 14 E, MDB&M
 0.4 acre in NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 7, T 28 N, R 14 E, MDB&M
 4.5 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 7, T 28 N, R 14 E, MDB&M
 40.0 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 7, T 28 N, R 14 E, MDB&M
 7.0 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 7, T 28 N, R 14 E, MDB&M
 38.3 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 7, T 28 N, R 14 E, MDB&M
 40.0 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 7, T 28 N, R 14 E, MDB&M
175.2 acres - Total

SCHEDULE 1 (Cont'd)

Melvin L. Dieter and Clare S. Dieter

40.0 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 12, T 28 N, R 13 E, MDB&M
34.3 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 12, T 28 N, R 13 E, MDB&M
40.0 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 12, T 28 N, R 13 E, MDB&M
32.0 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 12, T 28 N, R 13 E, MDB&M
34.5 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 12, T 28 N, R 13 E, MDB&M
180.8 acres - Total

Myron M. Dieter

37.0 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 11, T 28 N, R 13 E, MDB&M
37.0 acres - Total

James H. Dundom

40.0 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 8, T 28 N, R 14 E, MDB&M
4.0 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 8, T 28 N, R 14 E, MDB&M
44.0 acres - Total

Edmund Dunn and Genevieve Dunn

20.0 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 8, T 28 N, R 14 E, MDB&M
20.0 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 5, T 28 N, R 14 E, MDB&M
✓ 34.0 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 8, T 28 N, R 14 E, MDB&M
✓ 40.0 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 5, T 28 N, R 14 E, MDB&M
✓ 11.0 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 5, T 28 N, R 14 E, MDB&M
20.0 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 5, T 28 N, R 14 E, MDB&M
20.0 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 5, T 28 N, R 14 E, MDB&M
15.0 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 5, T 28 N, R 14 E, MDB&M
2.0 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 5, T 28 N, R 14 E, MDB&M
2.0 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 4, T 28 N, R 14 E, MDB&M
5.0 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 5, T 28 N, R 14 E, MDB&M
189.0 acres - Total

SCHEDULE 1 (Cont'd)

C. H. Fox and Ethelene D. Fox

5.0 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 8, T 28 N, R 14 E, MDB&M
 20.0 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 4, T 28 N, R 14 E, MDB&M
 35.0 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 5, T 28 N, R 14 E, MDB&M
 20.0 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 5, T 28 N, R 14 E, MDB&M
80.0 acres - Total

Wayne S. Grover and Fannie D. Grover

33.1 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 5, T 28 N, R 13 E, MDB&M
 36.5 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 5, T 28 N, R 13 E, MDB&M
 7.4 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 5, T 28 N, R 13 E, MDB&M
 23.4 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 5, T 28 N, R 13 E, MDB&M
 4.0 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 8, T 28 N, R 13 E, MDB&M
 2.5 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 4, T 28 N, R 13 E, MDB&M
 12.0 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 4, T 28 N, R 13 E, MDB&M
 *0.5 acre in SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 5, T 28 N, R 13 E, MDB&M
119.4 acres - Total

* Denotes irrigated land outside of property line.

Minnie Bass Hansen

40.0 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 1, T 28 N, R 12 E, MDB&M
 18.7 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 1, T 28 N, R 12 E, MDB&M
 12.6 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 1, T 28 N, R 12 E, MDB&M
 35.0 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 1, T 28 N, R 12 E, MDB&M
 31.2 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 1, T 28 N, R 12 E, MDB&M
 25.6 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 1, T 28 N, R 12 E, MDB&M
 27.2 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 2, T 28 N, R 12 E, MDB&M
 22.5 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 2, T 28 N, R 12 E, MDB&M
 30.2 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 12, T 28 N, R 12 E, MDB&M
 23.5 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 12, T 28 N, R 12 E, MDB&M
 11.3 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 12, T 28 N, R 12 E, MDB&M
277.8 acres - Total

SCHEDULE 1 (Cont'd)

Roy E. Harwood and Estate of Elbert R. Spraker

40.0 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 31, T 29 N, R 13 E, MDB&M
27.6 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 31, T 29 N, R 13 E, MDB&M
30.6 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 31, T 29 N, R 13 E, MDB&M
27.5 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 31, T 29 N, R 13 E, MDB&M
7.4 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 31, T 29 N, R 13 E, MDB&M
40.0 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 31, T 29 N, R 13 E, MDB&M
40.0 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 32, T 29 N, R 13 E, MDB&M
2.0 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 31, T 29 N, R 13 E, MDB&M
3.5 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 31, T 29 N, R 13 E, MDB&M
14.6 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 31, T 29 N, R 13 E, MDB&M
23.8 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 32, T 29 N, R 13 E, MDB&M
0.4 acre in NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 32, T 29 N, R 13 E, MDB&M
257.4 acres - Total

Otho L. Hemphill and Mildred M. Hemphill

35.3 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 7, T 28 N, R 14 E, MDB&M
35.1 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 7, T 28 N, R 14 E, MDB&M
40.0 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 7, T 28 N, R 14 E, MDB&M
17.6 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 7, T 28 N, R 14 E, MDB&M
35.4 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 7, T 28 N, R 14 E, MDB&M
163.4 acres - Total

Lenus J. Hostetter

2.0 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 7, T 28 N, R 14 E, MDB&M
5.0 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 7, T 28 N, R 14 E, MDB&M
3.8 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 7, T 28 N, R 14 E, MDB&M
9.1 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 7, T 28 N, R 14 E, MDB&M
5.5 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 7, T 28 N, R 14 E, MDB&M
25.4 acres - Total

Bessie Jack

10.3 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 2, T 28 N, R 12 E, MDB&M
10.3 acres - Total

SCHEDULE 1 (Cont'd)

Zebnor Johnson and Birt Hostetter

21.0 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 7, T 28 N, R 14 E, MDB&M
 30.5 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 7, T 28 N, R 14 E, MDB&M
 8.0 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 7, T 28 N, R 14 E, MDB&M
59.5 acres - Total

Zebnor Johnson, Ida M. Johnson, and Birt Hostetter

1.0 acre in NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 12, T 28 N, R 13 E, MDB&M
 38.5 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 1, T 28 N, R 13 E, MDB&M
 32.0 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 1, T 28 N, R 13 E, MDB&M
 10.5 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 1, T 28 N, R 13 E, MDB&M
 29.0 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 6, T 28 N, R 14 E, MDB&M
111.0 acres - Total

Marie M. Bennett Kallsen

0.5 acre in NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 9, T 28 N, R 13 E, MDB&M
0.5 acre - Total (In Lots 7, 8, 9, 10, and 11 of Block 29,
 Janesville)

Richard S. Kanavel and Virginia Kanavel

24.0 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 1, T 28 N, R 12 E, MDB&M
 20.0 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 1, T 28 N, R 12 E, MDB&M
 6.0 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 6, T 28 N, R 13 E, MDB&M
 8.0 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 6, T 28 N, R 13 E, MDB&M
 3.4 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 6, T 28 N, R 13 E, MDB&M
61.4 acres - Total (North Fork Elesian Creek and House Springs)

4.0 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 12, T 28 N, R 12 E, MDB&M
 10.5 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 12, T 28 N, R 12 E, MDB&M
 6.0 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 6, T 28 N, R 13 E, MDB&M
 4.5 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 6, T 28 N, R 13 E, MDB&M
 13.8 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 7, T 28 N, R 13 E, MDB&M
 1.4 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 7, T 28 N, R 13 E, MDB&M
 1.6 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 7, T 28 N, R 13 E, MDB&M
 40.0 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 7, T 28 N, R 13 E, MDB&M
 26.5 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 7, T 28 N, R 13 E, MDB&M
 29.2 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 7, T 28 N, R 13 E, MDB&M
 22.6 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 7, T 28 N, R 13 E, MDB&M
160.1 acres - Total (Kanavel Creek)

SCHEDULE 1 (Cont'd)

Richard S. Kanavel and Virginia Kanavel (Cont'd)

36.0 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 12, T 28 N, R 12 E, MDB&M
17.8 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 6, T 28 N, R 13 E, MDB&M
5.7 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 6, T 28 N, R 13 E, MDB&M
13.0 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 7, T 28 N, R 13 E, MDB&M
72.5 acres - Total (South Fork Elesian Creek)

20.0 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 1, T 28 N, R 12 E, MDB&M
21.0 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 6, T 28 N, R 13 E, MDB&M
1.7 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 6, T 28 N, R 13 E, MDB&M
8.0 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 6, T 28 N, R 13 E, MDB&M
6.0 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 6, T 28 N, R 13 E, MDB&M
56.7 acres - Total (North Fork Elesian Creek and Elesian Creek)

R. M. Kyte and Lydiane Kyte

5.0 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 2, T 28 N, R 13 E, MDB&M
10.5 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 3, T 28 N, R 13 E, MDB&M
6.5 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 11, T 28 N, R 13 E, MDB&M
22.0 acres - Total

Ruth Lagier, Dan L. Dieter, Esther E. Smith, and Wilma Hoffman
c/o Clarence Hoffman

4.5 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 17, T 28 N, R 14 E, MDB&M
11.0 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 17, T 28 N, R 14 E, MDB&M
6.5 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 17, T 28 N, R 14 E, MDB&M
22.0 acres - Total

R. Marvin McMurphy

0.2 acre in NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 9, T 28 N, R 13 E, MDB&M
0.2 acre - Total

Merlyn E. Mulroney and Wanda M. Mulroney

20.0 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 5, T 28 N, R 14 E, MDB&M
7.0 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 5, T 28 N, R 14 E, MDB&M
14.2 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 6, T 28 N, R 14 E, MDB&M
40.0 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 6, T 28 N, R 14 E, MDB&M
81.2 acres - Total

SCHEDULE 1 (Cont'd)

Carl S. Orchard and Charles F. Orchard

0.5 acre in NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 9, T 28 N, R 13 E, MDB&M
0.5 acre - Total (In Lot 7 of Block F, Janesville)

Lyle E. Parks

Lots 13, 14, and 15 of Block 29, Holmes Addition, Janesville

James T. Peterson

28.5 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 4, T 28 N, R 13 E, MDB&M
37.5 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 4, T 28 N, R 13 E, MDB&M
6.3 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 5, T 28 N, R 13 E, MDB&M
0.2 acre in NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 8, T 28 N, R 13 E, MDB&M
0.2 acre in NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 9, T 28 N, R 13 E, MDB&M
25.4 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 4, T 28 N, R 13 E, MDB&M
13.5 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 4, T 28 N, R 13 E, MDB&M
111.6 acres - Total (Sloss Creek)

15.0 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 4, T 28 N, R 13 E, MDB&M
15.0 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 4, T 28 N, R 13 E, MDB&M
20.0 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 4, T 28 N, R 13 E, MDB&M
28.5 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 4, T 28 N, R 13 E, MDB&M
12.0 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 3, T 28 N, R 13 E, MDB&M
26.0 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 4, T 28 N, R 13 E, MDB&M
17.8 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 4, T 28 N, R 13 E, MDB&M
3.6 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 4, T 28 N, R 13 E, MDB&M
16.3 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 33, T 29 N, R 13 E, MDB&M
19.5 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 4, T 28 N, R 13 E, MDB&M
173.7 acres - Total (Baxter Creek)

Roger T. Remick and Fay Remick

0.6 acre in NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 9, T 28 N, R 13 E, MDB&M
0.4 acre in SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 9, T 28 N, R 13 E, MDB&M
1.0 acre - Total

SCHEDULE 1 (Cont'd)

Almon L. Row

8.0 acres in $SE\frac{1}{4}$ $SW\frac{1}{4}$ of Section 17, T 28 N, R 13 E, MDB&M
8.0 acres - Total

Wallace A. Sears and Mary B. Sears

40.0 acres in $SW\frac{1}{4}$ $NW\frac{1}{4}$ of Section 10, T 28 N, R 13 E, MDB&M
40.0 acres - Total

Marvin S. Sherman and Zelma P. Sherman

17.0 acres in $NE\frac{1}{4}$ $NE\frac{1}{4}$ of Section 7, T 28 N, R 14 E, MDB&M
26.2 acres in $SE\frac{1}{4}$ $NE\frac{1}{4}$ of Section 7, T 28 N, R 14 E, MDB&M
35.5 acres in $NE\frac{1}{4}$ $SE\frac{1}{4}$ of Section 7, T 28 N, R 14 E, MDB&M
40.0 acres in $SE\frac{1}{4}$ $SE\frac{1}{4}$ of Section 7, T 28 N, R 14 E, MDB&M
40.0 acres in $SW\frac{1}{4}$ $SW\frac{1}{4}$ of Section 8, T 28 N, R 14 E, MDB&M
40.0 acres in $NW\frac{1}{4}$ $SW\frac{1}{4}$ of Section 8, T 28 N, R 14 E, MDB&M
35.0 acres in $SW\frac{1}{4}$ $NW\frac{1}{4}$ of Section 8, T 28 N, R 14 E, MDB&M
20.0 acres in $NW\frac{1}{4}$ $NW\frac{1}{4}$ of Section 8, T 28 N, R 14 E, MDB&M
5.0 acres in $SW\frac{1}{4}$ $SE\frac{1}{4}$ of Section 7, T 28 N, R 14 E, MDB&M
258.7 acres - Total

Sam T. Sherman

40.0 acres in $NE\frac{1}{4}$ $SE\frac{1}{4}$ of Section 8, T 28 N, R 14 E, MDB&M
40.0 acres in $NW\frac{1}{4}$ $SE\frac{1}{4}$ of Section 8, T 28 N, R 14 E, MDB&M
40.0 acres in $NE\frac{1}{4}$ $SW\frac{1}{4}$ of Section 8, T 28 N, R 14 E, MDB&M
14.0 acres in $NW\frac{1}{4}$ $SW\frac{1}{4}$ of Section 9, T 28 N, R 14 E, MDB&M
10.0 acres in $SE\frac{1}{4}$ $SW\frac{1}{4}$ of Section 8, T 28 N, R 14 E, MDB&M
144.0 acres - Total

James Shugru

17.1 acres in $NE\frac{1}{4}$ $SE\frac{1}{4}$ of Section 25, T 29 N, R 12 E, MDB&M
20.2 acres in $SE\frac{1}{4}$ $SE\frac{1}{4}$ of Section 25, T 29 N, R 12 E, MDB&M
1.8 acres in $NW\frac{1}{4}$ $SE\frac{1}{4}$ of Section 25, T 29 N, R 12 E, MDB&M
5.4 acres in $SW\frac{1}{4}$ $SW\frac{1}{4}$ of Section 30, T 29 N, R 13 E, MDB&M
8.0 acres in $NW\frac{1}{4}$ $SW\frac{1}{4}$ of Section 30, T 29 N, R 13 E, MDB&M
52.5 acres - Total

SCHEDULE 1 (Cont'd)

Fred Slippey and Annie M. Slippey

40.0 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 12, T 28 N, R 13 E, MDB&M
40.0 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 12, T 28 N, R 13 E, MDB&M
17.6 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 7, T 28 N, R 14 E, MDB&M
24.0 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 12, T 28 N, R 13 E, MDB&M
9.4 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 18, T 28 N, R 14 E, MDB&M
17.6 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 18, T 28 N, R 14 E, MDB&M
148.6 acres - Total

Fred Snipes and Margaret L. Snipes

5.0 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 8, T 28 N, R 13 E, MDB&M
5.0 acres - Total

Dale Soule and Robert Scholk

40.0 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 3, T 28 N, R 13 E, MDB&M
40.0 acres - Total

Ruth Van Dyke Straight

24.0 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 25, T 29 N, R 12 E, MDB&M
36.0 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 25, T 29 N, R 12 E, MDB&M
20.0 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 25, T 29 N, R 12 E, MDB&M
39.0 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 25, T 29 N, R 12 E, MDB&M
3.0 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 26, T 29 N, R 12 E, MDB&M
2.8 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 26, T 29 N, R 12 E, MDB&M
124.8 acres - Total

C. J. Thomasson and Louise Thomasson

10.5 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 10, T 28 N, R 13 E, MDB&M
5.2 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 10, T 28 N, R 13 E, MDB&M
13.0 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 3, T 28 N, R 13 E, MDB&M
28.7 acres - Total

George A. Taylor and Ollie Bernice Taylor

8.0 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 8, T 28 N, R 13 E, MDB&M
8.0 acres - Total

SCHEDULE 1 (Cont'd)

William R. Thornton

Domestic purposes
in SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 8, T 28 N, R 13 E, MDB&M

Fred Wemple and Edna M. Wemple

0.2 acre in NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 9, T 28 N, R 13 E, MDB&M
0.2 acre - Total

Rey Winchel

31.8 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 6, T 28 N, R 14 E, MDB&M
30.0 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 6, T 28 N, R 14 E, MDB&M
19.5 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 7, T 28 N, R 14 E, MDB&M
1.7 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 7, T 28 N, R 14 E, MDB&M
83.0 acres - Total

R. E. Wing and Mary Ann Wing

40.0 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 12, T 28 N, R 13 E, MDB&M
40.0 acres - Total

Herman L. Woosely and Cecil U. Woosely

2.0 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 9, T 28 N, R 13 E, MDB&M
2.0 acres - Total

SCHEDULE 2

POINTS OF DIVERSION FROM BAXTER CREEK STREAM SYSTEM

Name of diversion system	Approximate location of point of diversion					
	: Number :	: of :				: Distance
	: diver-	: Legal subdivision	Reference corner	: Bearing	: in feet	
	: sion on:	: in which diver-	: for distance and	: from	: from ref-	
	: D.W.R. :	: sion occurs	: bearing	: reference	: erence	
	: Map :	: M.D.B.&M.	: M.D.B.&M.	: corner	: corner	
Straight Reservoir Ditch	1	SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 3 T 28 N, R 12 E	W $\frac{1}{4}$ Cor. Sec. 3 T 28 N, R 12 E	N 50° E	100	
Straight Reservoir	2	SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 3 T 28 N, R 12 E	W $\frac{1}{4}$ Cor. Sec. 3 T 28 N, R 12 E	N 60° E	650	
Straight Domestic Pipe Line	3	NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 35 T 29 N, R 12 E	NE Cor. Sec. 35 T 29 N, R 12 E	S 73° W	900	
Straight Ditch	4	SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 26 T 29 N, R 12 E	SE Cor. Sec. 26 T 29 N, R 12 E	N 48° W	750	
Straight House Lake	5	NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 25 T 29 N, R 12 E	W $\frac{1}{4}$ Cor. Sec. 25 T 29 N, R 12 E	S 30° E	700	
Straight Meadow Ditch	5a	NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 25 T 29 N, R 12 E	W $\frac{1}{4}$ Cor. Sec. 25 T 29 N, R 12 E	S 65° E	1100	
Shugru South Ditch	6	NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 25 T 29 N, R 12 E	E $\frac{1}{4}$ Cor. Sec. 25 T 29 N, R 12 E	S 85° W	2600	
Shugru North Ditch	7	NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 25 T 29 N, R 12 E	E $\frac{1}{4}$ Cor. Sec. 25 T 29 N, R 12 E	S 80° W	1400	
Bass Upper Ditch	8	NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 25 T 29 N, R 12 E	E $\frac{1}{4}$ Cor. Sec. 25 T 29 N, R 12 E	S 75° W	1100	
Bass Lower Ditch	9	NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 30 T 29 N, R 13 E	W $\frac{1}{4}$ Cor. Sec. 30 T 29 N, R 13 E	S 12° E	850	
Shugru Spring	10	SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 30 T 29 N, R 13 E	SW Cor. Sec. 30 T 29 N, R 13 E	N 15° E	1350	
Baker Ditch	11	SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 30 T 29 N, R 13 E	W $\frac{1}{4}$ Cor. Sec. 30 T 29 N, R 13 E	S 30° E	1650	
Spraker North Ditch	12	NW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 31 T 29 N, R 13 E	N $\frac{1}{4}$ Cor. Sec. 31 T 29 N, R 13 E	S 55° E	260	

Sheet 1

SCHEDULE 2 (Cont'd)

Name of diversion system	: Number :		Approximate location of point of diversion					
	: of :	: Legal subdivision :	: Reference corner :	: Bearing :	: Distance :			
						: in which diver- : : sion on: in which diver- : : D.W.R. : sion occurs : : Map : M.D.B.&M. :	: for distance and : : bearing : : M.D.B.&M. : : corner :	: from : : reference : : corner :
Spraker South Ditch	13	NW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 31 T 29 N, R 13 E	N $\frac{1}{4}$ Cor. Sec. 31 T 29 N, R 13 E	S 40° E	900			
Spraker Meadow	14	NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 32 T 29 N, R 13 E	W $\frac{1}{4}$ Cor. Sec. 32 T 29 N, R 13 E	S 35° E	200			
Spraker and Bass Meadow Ditch	15	NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 32 T 29 N, R 13 E	W $\frac{1}{4}$ Cor. Sec. 32 T 29 N, R 13 E	S 35° E	200			
Spraker and Burnett Meadow Ditch	16	NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 32 T 29 N, R 13 E	W $\frac{1}{4}$ Cor. Sec. 32 T 29 N, R 13 E	S 67° E	800			
Bass and Kanavel Ditch	17	NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 2 T 28 N, R 12 E	E $\frac{1}{4}$ Cor. Sec. 2 T 28 N, R 12 E	S 82° W	2300			
Bass Upper North Ditch	18	NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 2 T 28 N, R 12 E	E $\frac{1}{4}$ Cor. Sec. 2 T 28 N, R 12 E	S 65° W	1750			
Bass Upper North Ditch No. 2	18a	SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 2 T 28 N, R 12 E	SE Cor. Sec. 2 T 28 N, R 12 E	N 50° W	500			
Bass Middle North Ditch	19	NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 12 T 28 N, R 12 E	NW Cor. Sec. 12 T 28 N, R 12 E	S 70° E	325			
Bass South Ditch	20	NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 12 T 28 N, R 12 E	NW Cor. Sec. 12 T 28 N, R 12 E	S 87° E	1775			
Bass Lower North Ditch	21	SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 1 T 28 N, R 12 E	S $\frac{1}{4}$ Cor. Sec. 1 T 28 N, R 12 E	N 48° W	175			
Kanavel Meadow Ditch	22	SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 1 T 28 N, R 12 E	SE Cor. Sec. 1 T 28 N, R 12 E	N 89° W	1250			
Kanavel Meadow Ditch	23	SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 1 T 28 N, R 12 E	SE Cor. Sec. 1 T 28 N, R 12 E	N 79° W	650			
Kanavel Meadow Ditch	24	SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 1 T 28 N, R 12 E	SE Cor. Sec. 1 T 28 N, R 12 E	N 33° W	650			

SCHEDULE 2 (Cont'd)

Name of diversion system	Approximate location of point of diversion						
	Number	of	Legal subdivision	Reference corner	Bearing	Distance	
	diversion on	in which diversion occurs	for distance and bearing	from reference corner	from reference	from reference	
	D.W.R. : Map	in which diversion occurs	for distance and bearing	from reference corner	from reference	from reference	
Kanavel House Springs	25	NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 1 T 28 N, R 12 E	E $\frac{1}{4}$ Cor. Sec. 1 T 28 N, R 12 E	S 60° W	1200		
Bass South Fork Upper Ditch	26	NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 12 T 28 N, R 12 E	NW Cor. Sec. 12 T 28 N, R 12 E	S 20° E	500		
Bass South Fork Lower Ditch	27	NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 12 T 28 N, R 12 E	NW Cor. Sec. 12 T 28 N, R 12 E	S 63° E	1950		
Kanavel Upper Ditch	28	NW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 12 T 28 N, R 12 E	E $\frac{1}{4}$ Cor. Sec. 12 T 28 N, R 12 E	N 50° W	2000		
Kanavel Lower Ditch	29	NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 12 T 28 N, R 12 E	NE Cor. Sec. 12 T 28 N, R 12 E	S 44° W	1400		
Beckett Domestic	29a	NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 18 T 28 N, R 13 E	NW Cor. Sec. 18 T 28 N, R 13 E	S 60° E	2000		
Beckett Proposed	29b	NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 18 T 28 N, R 13 E	NW Cor. Sec. 18 T 28 N, R 13 E	S 60° E to S 80° E	1700 to 2000		
Kanavel West Ditch	30	NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 7 T 28 N, R 13 E	W $\frac{1}{4}$ Cor. Sec. 7 T 28 N, R 13 E	S 84° E	1300		
Kanavel East Ditch	31	NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 7 T 28 N, R 13 E	W $\frac{1}{4}$ Cor. Sec. 7 T 28 N, R 13 E	S 84° E	1775		
Bass Upper West Ditch	32	SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 6 T 28 N, R 13 E	SW Cor. Sec. 6 T 28 N, R 13 E	N 73° E	2250		
Bass East Ditch	33	SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 6 T 28 N, R 13 E	SE Cor. Sec. 6 T 28 N, R 13 E	N 60° W	1100		
Bass Middle West	34	SE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 6 T 28 N, R 13 E	E $\frac{1}{4}$ Cor. Sec. 6 T 28 N, R 13 E	N 71° W	950		
Bass Lower West	35	SE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 6 T 28 N, R 13 E	E $\frac{1}{4}$ Cor. Sec. 6 T 28 N, R 13 E	N 12° W	900		

SCHEDULE 2 (Cont'd)

Name of diversion system	Approximate location of point of diversion					
	Number :	of :	:	:	:	Distance
	:diver-	:Legal subdivision:	:Reference corner:	Bearing:	in feet	
	:sion on:	in which diver-	:for distance and:	from :	from ref-	
	: D.W.R.:	sion occurs	: bearing	:reference:	erence	
	: Map :	M.D.B.&M.	: M.D.B.&M.	: corner :	corner	
Peterson Upper South Ditch	36	SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 33 T 29 N, R 13 E	SW Cor. Sec. 33 T 29 N, R 13 E	N 15° E	700	
Peterson Lower South Ditch	37	SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 33 T 29 N, R 13 E	SW Cor. Sec. 33 T 29 N, R 13 E	N 15° E	700	
Peterson North Ditch	38	SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 33 T 29 N, R 13 E	SW Cor. Sec. 33 T 29 N, R 13 E	N 15° E	700	
Davis Pump	38a	SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 33 T 29 N, R 13 E	SW Cor. Sec. 33 T 29 N, R 13 E	N 80° E	1500	
Peterson Meadow Ditch	39	NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 4 T 28 N, R 13 E	N $\frac{1}{4}$ Cor. Sec. 4 T 28 N, R 13 E	S 50° W	700	
Beckett Pump	40	NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 3 T 28 N, R 13 E	W $\frac{1}{4}$ Cor. Sec. 3 T 28 N, R 13 E	S 67° E	1600	
Beckett Pump	41	NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 3 T 28 N, R 13 E	W $\frac{1}{4}$ Cor. Sec. 3 T 28 N, R 13 E	S 67° E	2600	
Steele Pump	42	NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 17 T 28 N, R 13 E	NW Cor. Sec. 17 T 28 N, R 13 E	S 71° E	1160	
Thornton Domestic	44	SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 8 T 28 N, R 13 E	SW Cor. Sec. 8 T 28 N, R 13 E	N 87° E	1260	
Snipes Garden Pump	45	NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 8 T 28 N, R 13 E	S $\frac{1}{4}$ Cor. Sec. 8 T 28 N, R 13 E	N 1° E	2000	
Grover and Peterson Ditch	46	NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 8 T 28 N, R 13 E	NE Cor. Sec. 8 T 28 N, R 13 E	S 32° W	1225	
Peterson Ditch	47	NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 8 T 28 N, R 13 E	NE Cor. Sec. 8 T 28 N, R 13 E	S 6° W	950	
Row Upper Ditch	48	SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 17 T 28 N, R 13 E	S $\frac{1}{4}$ Cor. Sec. 17 T 28 N, R 13 E	N 56° W	1150	
Row Lower Ditch	49	SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 17 T 28 N, R 13 E	S $\frac{1}{4}$ Cor. Sec. 17 T 28 N, R 13 E	N 48° W	350	

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SCHEDULE 2 (Cont'd)

		:Number :	Approximate location of point of diversion			
		: of :	:	:	:	:Distance
Name of diversion system		:diver-	:Legal subdivision:	:Reference corner:	Bearing:	in feet
		:sion on:	in which diver-	for distance and:	from	:from ref-
		: D.W.R.:	sion occurs :	bearing	:reference:	erence
		: Map :	M.D.B.&M. :	M.D.B.&M. :	corner :	corner
Row House Spring	50	SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 17 T 28 N, R 13 E	S $\frac{1}{4}$ Cor. Sec. 17 T 28 N, R 13 E	N 45° W	350	
Holmes Pipe	51	NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 17 T 28 N, R 13 E	NE Cor. Sec. 17 T 28 N, R 13 E	S 34° W	1350	
deRocher Ditch	52	NF $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 17 T 28 N, R 13 E	NE Cor. Sec. 17 T 28 N, R 13 E	S 38° W	1000	
deRocher Upper	53	SW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 17 T 28 N, R 13 E	NE Cor. Sec. 17 T 28 N, R 13 E	S 50° W	3000	
		SW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 17 T 28 N, R 13 E	NE Cor. Sec. 17 T 28 N, R 13 E	S 50° W	2000	
Warren Meadow Springs	54	SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 8 T 28 N, R 13 E	SE Cor. Sec. 8 T 28 N, R 13 E	N 75° W	1300	
		SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 8 T 28 N, R 13 E	SE Cor. Sec. 8 T 28 N, R 13 E	N 60° W	400	
Taylor Domestic Springs	54a	SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 8 T 28 N, R 13 E	SE Cor. Sec. 8 T 28 N, R 13 E	N 75° W	1300	
		SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 8 T 28 N, R 13 E	SE Cor. Sec. 8 T 28 N, R 13 E	N 60° W	600	
deRocher Lower Meadow Spring	55	SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 9 T 28 N, R 13 E	SW Cor. Sec. 9 T 28 N, R 13 E	N 81° E	650	
Remick Domestic	55a	SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 9 T 28 N, R 13 E	SW Cor. Sec. 9 T 28 N, R 13 E	N 45° E	1900	
Orchard Domestic	55b	NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 9 T 28 N, R 13 E	W $\frac{1}{4}$ Cor. Sec. 9 T 28 N, R 13 E	S 55° E	1800	
Degiovanni East Ditch	56	NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 9 T 28 N, R 13 E	S $\frac{1}{4}$ Cor. Sec. 9 T 28 N, R 13 E	N 34° W	2100	
Degiovanni West Ditch	57	NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 9 T 28 N, R 13 E	S $\frac{1}{4}$ Cor. Sec. 9 T 28 N, R 13 E	N 34° W	2025	
Degiovanni Barn- yard Ditch	58	NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 9 T 28 N, R 13 E	S $\frac{1}{4}$ Cor. Sec. 9 T 28 N, R 13 E	N 20° W	2600	

SCHEDULE 2 (Cont'd)

Name of diversion system	:Number :	Approximate location of point of diversion				:Distance in feet from reference corner
	: of :	:	:	:	:	
	:diver- :Legal subdivision:Reference corner: Bearing:	:	:	:	:	
	:sion on: in which diver-:for distance and: from :	:	:	:	:	
	:D.W.R. : sion occurs : bearing :reference:erence	:	:	:	:	
: Map : M.D.B.&M. : M.D.B.&M. : corner :corner	:	:	:	:	:	
Degiovanni North	59	SW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 9 T 28 N, R 13 E	E $\frac{1}{4}$ Cor. Sec. 9 T 28 N, R 13 E	N 67° W	1750	
Degiovanni South Ditch	60	SE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 9 T 28 N, R 13 E	E $\frac{1}{4}$ Cor. Sec. 9 T 28 N, R 13 E	N 59° W	1550	
Degiovanni Lower North Ditch	61	NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 10 T 28 N, R 13 E	NW Cor. Sec. 10 T 28 N, R 13 E	S 55° E	650	
Degiovanni Lower South Ditch	62	NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 10 T 28 N, R 13 E	NW Cor. Sec. 10 T 28 N, R 13 E	S 55° E	650	
Dyer Ditch	63	SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 3 T 28 N, R 13 E	SW Cor. Sec. 3 T 28 N, R 13 E	N 80° E	1350	
Sears Ditch	63a	SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 10 T 28 N, R 13 E	W $\frac{1}{4}$ Cor. Sec. 10 T 28 N, R 13 E	Due North	700	
Dyer Pump	64	SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 10 T 28 N, R 13 E	NW Cor. Sec. 10 T 28 N, R 13 E	S 45° E	1950	
Dyer Meadow Springs	65	NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 10 T 28 N, R 13 E	NW Cor. Sec. 10 T 28 N, R 13 E	S 55° E	1700	
Fritts Ditch	66	SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 3 T 28 N, R 13 E	S $\frac{1}{4}$ Cor. Sec. 3 T 28 N, R 13 E	N 32° E	1350	
Kyte Meadow Ditches	68	SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 11 T 28 N, R 13 E	SE Cor. Sec. 3 T 28 N, R 13 E	N 47° W	1700	
Kyte Spring	69	NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 11 T 28 N, R 13 E	NW Cor. Sec. 11 T 28 N, R 13 E	S 81° E	350	
Carlson Pump	70	NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 11 T 28 N, R 13 E	N $\frac{1}{4}$ Cor. Sec. 11 T 28 N, R 13 E	S 60° W	1275	
Carlson Spring	70a	NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 11 T 28 N, R 13 E	N $\frac{1}{4}$ Cor. Sec. 11 T 28 N, R 13 E	S 58° W	1275	
Myron Dieter Meadow	71	NW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 11 T 28 N, R 13 E	N $\frac{1}{4}$ Cor. Sec. 11 T 28 N, R 13 E	S 27° E	750	

SCHEDULE 2 (Cont'd)

Name of diversion system	Number of diversion on D.W.R. Map	Approximate location of point of diversion				
		Legal subdivision in which diver- sion occurs M.D.B.&M.	Reference corner for distance and bearing M.D.B.&M.	Bearing from reference corner	Distance in feet from ref- erence corner	
Hostetter and Johnson Garden Pump	71a	NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 12 T 28 N, R 13 E	NW Cor. Sec. 12 T 28 N, R 13 E	S 55° E	1100	
Hostetter and Johnson Ditch	72	NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 12 T 28 N, R 13 E	NW Cor. Sec. 12 T 28 N, R 13 E	S 55° E	1500	
Melvin Dieter North Ditch	73	NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 12 T 28 N, R 13 E	NW Cor. Sec. 12 T 28 N, R 13 E	S 61° E	1950	
Slippey and Hemphill Upper (Leith) Ditch	74	NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 12 T 28 N, R 13 E	NW Cor. Sec. 12 T 28 N, R 13 E	S 61° E	1950	
Long Ditch	75	NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 12 T 28 N, R 13 E	N $\frac{1}{4}$ Cor. Sec. 12 T 28 N, R 13 E	S 31° W	1075	
Slippey and Hemphill Lower (Cross) Ditch	76	NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 12 T 28 N, R 13 E	NE Cor. Sec. 12 T 28 N, R 13 E	S 62° W	1500	
Albert Dieter Ditch	77	NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 7 T 28 N, R 14 E	NW Cor. Sec. 7 T 28 N, R 14 E	S 12° E	875	
Winchel and Dunn Ditch	78	NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 7 T 28 N, R 14 E	NW Cor. Sec. 7 T 28 N, R 14 E	S 68° E	1000	
Winchel and Hostetter and Johnson Ditch	79	NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 7 T 28 N, R 14 E	N $\frac{1}{4}$ Cor. Sec. 7 T 28 N, R 14 E	S 87° W	920	
Hostetter and John- son Meadow Ditch	80	NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 7 T 28 N, R 14 E	N $\frac{1}{4}$ Cor. Sec. 7 T 28 N, R 14 E	S 63° W	560	
Marvin Sherman North Ditch	81	SE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 7 T 28 N, R 14 E	E $\frac{1}{4}$ Cor. Sec. 7 T 28 N, R 14 E	N 32° W	1350	
Marvin Sherman South Ditch	82	SE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 7 T 28 N, R 14 E	E $\frac{1}{4}$ Cor. Sec. 7 T 28 N, R 14 E	N 32° W	1350	
Marvin Sherman Lower North Ditch	83	SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 8 T 28 N, R 14 E	W $\frac{1}{4}$ Cor. Sec. 8 T 28 N, R 14 E	N 52° E	850	

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SCHEDULE 2 (Cont'd)

Name of diversion system	:Number :		Approximate location of point of diversion				:Distance :in feet :from ref- :erence :corner	
	: of :diver- :sion on: : D.W.R. : Map	:	:Legal subdivision : in which diver- : sion occurs : M.D.B.&M.	:	:Reference corner : for distance and : bearing : M.D.B.&M.	: Bearing : from : reference : corner		
Dudley Bass Road Ditch	84		NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 8 T 28 N, R 14 E		W $\frac{1}{4}$ Cor. Sec. 8 T 28 N, R 14 E	S 89° E	1300	
Sam Sherman Upper South Ditch	85		NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 8 T 28 N, R 14 E		W $\frac{1}{4}$ Cor. Sec. 8 T 28 N, R 14 E	S 89° E	1350	
Sam Sherman East Meadow Ditch	86		NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 8 T 28 N, R 14 E		W $\frac{1}{4}$ Cor. Sec. 8 T 28 N, R 14 E	East	2420	
Sam Sherman Middle Ditch	87		NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 8 T 28 N, R 14 E		S $\frac{1}{4}$ Cor. Sec. 8 T 28 N, R 14 E	N 2° E	2120	
Sam Sherman Middle Ditch	88		NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 8 T 28 N, R 14 E		S $\frac{1}{4}$ Cor. Sec. 8 T 28 N, R 14 E	N 6° E	2000	
Sam Sherman Middle Ditch	89		NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 8 T 28 N, R 14 E		S $\frac{1}{4}$ Cor. Sec. 8 T 28 N, R 14 E	N 24° E	1725	
Dudley Bass Ditch	90		SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 8 T 28 N, R 14 E		SE Cor. Sec. 8 T 28 N, R 14 E	N 50° W	1950	
Melvin Dieter Pump	90a		SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 12 T 28 N, R 13 E		NW Cor. Sec. 12 T 28 N, R 13 E	S 50° E	2200	
Wing Pump	90b		NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 12 T 28 N, R 13 E		E $\frac{1}{4}$ Cor. Sec. 12 T 28 N, R 13 E	Due West	2100	
Bailey Ditch	91		SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 12 T 28 N, R 13 E		S $\frac{1}{4}$ Cor. Sec. 12 T 28 N, R 13 E	N 45° E	1750	
Slippey Ditch	92		NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 18 T 28 N, R 14 E		NW Cor. Sec. 18 T 28 N, R 14 E	S 40° E	100	
Bailey Lower Ditch	93		NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 18 T 28 N, R 14 E		NW Cor. Sec. 18 T 28 N, R 14 E	S 43° E	1250	

SCHEDULE 3

ALLOCATIONS TO VARIOUS CLAIMANTS FROM SLOSS CREEK AND BANKHEAD CREEK GROUP

Name of claimant	Acreage to be supplied	Diversions: number as per D.W.R. Map	Allotments cubic feet per second			Total
			First	Second	Third	
			priority	priority	priority	
			class	class	class	
George R. Bowersox and Evelyn Bowersox	1.0	42	0.02			0.02 145
William R. Thornton	Domestic	44	.002			0.002 146
Fred Snipes and Margaret L. Snipes	5.0	45		0.08		0.08 147
Wayne S. Grover and Fannie D. Grover	119.4	46	.10	1.10		1.20 148
James T. Peterson	111.6	46 47	.10	1.10		1.20 *149
Almon L. Row	Domestic 8.0	48 49 50 Spring	.02	0.13		0.15 149
Fred Wemple and Edna M. Wemple	Tr 151 0.2	51	.01			0.01 151
R. Marvin McMurphy	cliffed Kallisen Tr 154 0.2	51	.01			0.01 151
Marie M. Bennett Kallisen	Tr 155 0.5	51	.01		.015	0.025 155
Herman L. Woosely and Cecil U. Woosely	Tr 152 2.0	51	.02		.055	0.075 152
Jess R. Cunningham and Jean Cunningham	Tr 156 0.5	51	.01			0.01 156
Lyle E. Parks	Tr 153 Domestic	51	.01			0.01 153
Paul E. deRocher and Nancy deRocher	0.5	51	.01		.04	0.05 ?
Paul E. deRocher and Nancy deRocher	22.1	52		.38		0.38 } over

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* portion of water right elsewhere

SCHEDULE 3 (Cont'd)

	Name of claimant	: Acreage : to be : supplied	: Diversion : number : : as per : : D.W.R. : : Map :	Allotments cubic feet per second			: Total
				First	Second	Third	
				: priority	: priority	: priority	
				: class	: class	: class	
5	Paul E. deRocher and Nancy deRocher	3.0 3.0	53 55			0.10	0.10
6	George A. Taylor and Ollie	8.0	54			.13	0.15
7	Bernice Taylor	Domestic	54a	0.02			
8	Roger T. Remick and Fay Tr 157 Remick	1.0	55a	.02			0.02 157
9	Carl S. Orchard and Tr 158 Charles F. Orchard	0.5	55b	.01			0.01 158
11	Charles Degiovanni and Carrie Degiovanni	66.6 281.6 348.2 ✓	56 57 58 59 60 61 62	.25	3.23		3.48 159
15	Wallace A. Sears and Mary B. Sears	40.0	63a			.40	0.40 - 159a
16	C. J. Thomasson and Louise	28.7	63			.30	0.35 160
17	Thomasson		64 65 Spring	.05			0.06
18	Dale Soule and Robert Scholk	40.0	66 67 Spring	.06		.20	0.26 161
21	TOTALS	743.4		0.732	5.56	1.70	7.992

SCHEDULE 4

ALLOCATIONS TO VARIOUS CLAIMANTS
FROM BAXTER CREEK AND ELESIAN CREEK GROUP

	Name of claimant	Acreage : to be : supplied	Diversions : number : as per : D.W.R. : Map	Allotments cubic feet per second					Total	Tract #
				First : prior- : ity	Second : prior- : ity	Third : prior- : ity	Fourth : prior- : ity	Fifth : prior- : ity		
6	Ruth Van Dyke Straight	124.8	3 4 5a	2.50					2.50	134
8	James Shugru	52.5	6 7 8 10	0.68		0.20			0.88	135
11	Verne E. Baker	12.0	11			.20			0.20	137
12	Estate of S. S. Bass; Grover C. Bass, Trustee	178.6	8 9 12	2.80					3.23	136
13		26.5	10			0.43				
14	Roy E. Harwood and Estate of Elbert R. Spraker	35.5	8			.50			0.50	138
16	Roy E. Harwood and Estate of Elbert R. Spraker	183.1	12 13	2.53					3.00	
17		38.8	14 15 16			.47				
19	Dave Barr and Mary Barr	31.5	16	0.10	.42				0.52	113
21	Bessie Jack	Domestic 10.3	17 18	0.16					0.16	139
22	Minnie Bass Hansen	228.3	17 18 18a 19 20 21	3.44					3.44	140

Elesian C.

* part of Tract

SCHEDULE 4 (Cont'd)

	Name of claimant	Acreage to be supplied	Diversions: number as per D.W.R. Map	Allotments cubic feet per second					Total
				First prior- ity	Second prior- ity	Third prior- ity	Fourth prior- ity	Fifth prior- ity	
1									
2									
3									
4									
5									
6	Richard S. Kanavel and Virginia Kanavel	61.4	17 25	1.05					1.05
7	Richard S. Kanavel and Virginia Kanavel	56.7	22 23 24 32 33	0.80					0.80
8									
9									
10	Minnie Bass Hansen	49.5	26 27	0.66					0.66
11									
12	Richard S. Kanavel and Virginia Kanavel	72.5	28	0.97					0.97
13	Charles W. Beckett and Vada H. Beckett	Domestic 10.0	29a 29b	0.02					0.25
14								0.23	
15	Richard S. Kanavel and Virginia Kanavel	160.1	30 31	2.13					2.13
16	Ralph Bass and Mabel C. Bass	214.7	32 33 34 35	4.58					4.58
17									
18									
19	James T. Peterson	92.0	36 37 38		1.42				1.72
20		19.5					0.30		
21	James T. Peterson	62.2	36 39					.70	0.70
22	Arthur M. Davis and Roxie Davis	20.0	38a				.05	.10	0.15
23									
24	James L. Beckett and Florence Beckett	8.2 20.0	40 41				.10		0.31
25								.21	
26	R. M. Kyte and Lydiane Kyte	22.0	68 69				.26		0.28
27				0.02					

Sheet 2

SCHEDULE 4 (Cont'd)

	Name of claimant	Acreage: to be supplied	Diversions number as per D.W.R. Map	Allotments cubic feet per second					Total
				First prior- ity	Second prior- ity	Third prior- ity	Fourth prior- ity	Fifth prior- ity	
				class	class	class	class	class	
5	William Ahern and Zella J. Ahern	6.0	70 70a	0.02			0.10		0.12 .162
6	Myron M. Dieter	37.0	71				0.10	0.15	0.25
7	Zebnor Johnson, Ida M.	1.0	71a	.02					1.71 164
8	Johnson, and Birt Hostetter	110.0	72			1.69			
9	Melvin L. Dieter and Clare S. Dieter	25.0 40.3 80.5	73 75			0.28		.45	1.62 1.17 163
11	Otho L. Hemphill and Mildred M. Hemphill	85.8 77.6	74 76		0.98				1.82 .98 166
13	Fred Slippey and Annie M. Slippey	89.0 32.6	74 76		0.98				1.35 .98 165
14	Albert A. Dieter and Valera Dieter	135.2 40.0	75 77		1.55				1.95 168
15						0.40			
16	Rey Winchel	83.0	77 78 79		0.90				0.90 169
18	Frank W. Cummings and Barbara R. Cummings	11.9	78			0.15	0.05		0.20 .15 170
19	Merlyn E. Mulroney and Wanda M. Mulroney	Domestic 81.2	78			0.67	0.23		0.90 .67 171
21	Edmund Dunn and Genevieve Dunn	94.0 95.0	78			1.05			2.10 1.05 175
22							1.05		
23	C. H. Fox and Ethelene D. Fox	80.0	78				0.89		0.89
24	Zebnor Johnson and Birt Hostetter	59.5	75 77 79 80		0.64				0.64 172

Sheet 3

SCHEDULE 4 (Cont'd)

	Name of claimant	Acreage to be supplied	Diver- sion: number as per D.W.R. Map	Allotments cubic feet per second					Total
				First prior- ity	Second prior- ity	Third prior- ity	Fourth prior- ity	Fifth prior- ity	
				class	class	class	class	class	Foot #
5	Lenus J. Hostetter ✓	25.4	75		0.30				0.30 173
6			77						
6			80						
7	Marvin S. Sherman and ✓	258.7	81			2.88			2.88 174
8	Zelma P. Sherman		82						
8			83						
9	James H. Dundon ✓	44.0	81			0.50			0.50 176
10			83						
11	R. Dudley Bass ✓	143.8	84			1.81			3.25
11		135.0	90				1.44		1.81 178
12	Ruth Lagier, Dan L. ✓	22.0	84					0.20	0.20
13	Dieter, Esther E. Smith								
13	and Wilma Hoffman, c/o								
14	Clarence Hoffman								
15	Sam T. Sherman ✓	144.0	85			1.60			1.60 177
16			86						
16			87						
16			88						
17			89						
18	Melvin L. Dieter and	35.0	90a					.25	0.25
18	Clare S. Dieter								
19	R. E. Wing and Mary	40.0	74			0.05		.20	0.25
20	Ann Wing		90b						
21	V. T. Bailey	174.0	91			3.02			3.02 167
21	and Lenora M. Bailey	120.2	93						
22	Fred Slippey and Annie	27.0	92				0.30		0.30
23	J. Slippey								
24	TOTALS	4,224.4		22.48	8.06	15.87	6.13	2.49	55.03

Sheet 4

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8.62
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8.39

1 IT IS FURTHER ORDERED, ADJUDGED AND DECREED:

2 16. That the Court retains continuing jurisdiction of the parties
3 to this proceeding, and of the subject matter thereof, and upon application
4 of any party hereto, or successor in interest thereof, or upon its own
5 motion, to review this decree and to change or modify the same as the
6 interests of justice may require.

7 17. That each and every party to this action, his or her agents,
8 successors, grantees and assigns, be and hereby are estopped to object to
9 or interfere with the respective rights of others which are decreed herein.

10 18. That each and every party to this action, his or her agents,
11 successors, grantees and assigns, be and hereby are perpetually enjoined
12 and restrained from doing anything in violation of the terms or provisions
13 of this judgment and decree, and from diverting any water from said Baxter
14 Creek stream system at any time in excess of a quantity reasonably neces-
15 sary for, and actually applied to, reasonable beneficial use, under and
16 by reasonable methods of diversion and use, and from doing anything,
17 directly or indirectly, that will obstruct or interfere with any right
18 of another adjudged and decreed herein.

19 19. This decree is conclusive as to the rights of all existing
20 claimants upon the Baxter Creek stream system lawfully embraced in this
21 determination.

22 20. Any claimant who has failed to appear and submit proof of his
23 claim as provided in Chapter 3, Division 2 of the Water Code, shall be
24 barred and estopped from subsequently asserting any rights theretofore
25 acquired upon the Baxter Creek stream system, and shall be held to have
26 forfeited all rights to water theretofore claimed by him on said system,

- 1 other than as provided in this decree, unless entitled to relief under
- 2 the laws of this State.

Done this 15th day of December, 1955

Judge of the Superior Court

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